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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/612,945	07/10/2000	Tomoo Tsunenari	37B.P61	9915

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EXAMINER	
POND, ROBERT M	

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/612,945	TSUNENARI, TOMOO	
	Examiner	Art Unit	
	Robert M. Pond	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 November 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The Applicant amended Claims 23-27. All pending claims (1-27) were examined in this final Office Action.

Response to Arguments

Rejection under 35 USC 101

The Applicant amended Claims 23-27 to overcome rejection under 35 USC 101. Rejection under 35 USC 101 is withdrawn.

Rejection under 35 USC 103(a)

Applicant's arguments filed 24 November 2004 have been fully considered but they are not persuasive. USPS and WorldSpy teach logistics processes that deliver purchased product from the point of origin to the customer's door, reverse logistics as the handling and dispositioning of returned goods back to a manufacturer or a central returns facility, and using the same logistics systems used to precisely deliver product to a customer to precisely return product from the returned product location. Specifically, WorldSpy teaches Sears using the most efficient delivery routes to speed delivery to consumer's homes and using the same system to efficiently schedule the pick-up of consumer returned appliances (#12, UUU: see at least page 4). WorldSpy teaches the management pact WorldSpy has with UPS Worldwide Logistics as not including a bias towards

UPS delivery (please note examiner's interpretation: at least one other carrier is considered). WorldSpy further teaches a purchase triggering an electronic search for the best routing and cheapest price to achieve three-day delivery to a consumer (please note examiner's interpretation: best routing requires receiving product's present location and receiving destination location) (V: see at least page 6). WorldSpy further teaches Sears using the most efficient delivery routes to speed delivery to consumer's homes and using the same system to efficiently schedule the pick-up of consumer returned appliances (#12, UUU: see at least page 4). The Examiner believes that ample evidence has been presented to teach and/or suggest that logistics systems that can automatically determine precise delivery logistics to move a product from point A to point B, can automatically determine precise reverse delivery logistic to move the customer's returned product from point B to point A.

Note

For Applicant's convenience, the Examiner arranged portions of the previous Office Action for formatting purposes only.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1. **Claims 1-6, 10-13, 15-18, and 22-27 are rejected under 35 USC 103(a) as being unpatentable over USPS (a collection of prior art cited in Paper #12, PTO-892, Items: U and W), in view of WorldSpy (a collection of articles cited in Paper #12, PTO-892, Item: UUU and Paper #19, PTO-892, Items: U-V).**

USPS teaches the United States Postal Service's Returns@ease software program allowing customers to notify a participating web merchant about the item(s) they wish to return and using the postal service as a returns carrier. USPS teaches United Parcel Service's (UPS) authorized online product return service and using UPS as a returns carrier. USPS further teaches:

- *Receiving*
  - *consumer information from a first computer over a network:*

    Web merchant Altrec.com implementing Returns@ease for online customers to notify items they wish to return (please note examiner's interpretation: requires a first computer connected to the Internet network running a web browser to communicate with merchant web sites) (#12, U: see at least page 1); consumer goes online to access

the UPS online return service (#12, U: see at least page 2); consumer name and password for access security and notification (V: see at least pages 5 and 6).

- *information including product type and present location information for the consumer product:* online consumer notifies the Web merchant implementing Returns@ease about the item they wish to return (#12, U: see at least page 1); Altrec.com has all the information about the item being returned, reason, and price (#12, U: see at least page 2). Please see below for present location information teachings.

- *Transmitting to said first computer*
  - *shipping label data:* Returns@ease online consumers tape the pre-paid merchandise return label printed from the merchant's Web site to the box (#12, U: see at least page 1); UPS e-shipping authorization service generates label for consumer (#12, U: see at least page 2). Please note examiner's interpretation: consumer's printer is operatively connected to the consumer's inline computer).

USPS teaches all the above as noted under the 103(a) rejection and teaches a) UPS's online returns shipping for consumers, b) web merchants using UPS's service receiving returns notification information from a consumers through merchant web sites, but does not disclose storing the consumer information in a database server. WorldSpy teaches reverse logistics being the handling and disposition of returned goods.

WorldSpy teaches UPS's Worldwide Logistics supporting retailers in reverse logistics, and managing WorldSpy's transportation and logistics (#12, UUU: see at least pages 1-2). WorldSpy teaches WorldSpy's Web site shopping portal allowing consumers to fill out an online return notice on the WorldSpy Web site, and further teaches the Web site system using Visual Basic and Microsoft's SQL Server 7.0 database (please note examiner's interpretation: Server 7.0 database runs on second computer) (#12, UUU: see at least page 3). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to disclose a web site using a database server as taught by WordSpy, in order to more fully disclose the database server used to store information.

USPS teaches all the above as noted under the 103(a) rejection and teaches a) automatically determining at least a single destination based on product information supplied by an online consumer (e.g. consumer printing shipping label destined for Altrec ships product to an Altrec facility, pre-paid printed label included with recyclable toner cartridge for later pickup by a carrier for return) (#12, U: see page 2), and b) UPS's authorized return e-shipping service for consumers. USPS, however, does not teach automatically determining a destination for the consumer product based upon the received product type information. WorldSpy teaches all the above as noted under the 103(a) rejection and teaches consumers filling out returns notices on the WorldSpy's Web site and then

advising consumers where to send the items- either to a central warehouse managed by UPS Worldwide Logistics or directly back to the manufacturer (please note examiner's interpretation: product type information is used in deciding where to ship the returned item(s) to one of a plurality of return locations) (#12, UUU: see at least page 3). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of USPS to automatically determine a return location based on the product type information as taught by WorldSpy, in order to return product to a central returns facility or a manufacture's facility.

Please see below for present location information teachings:

USPS teaches all the above as noted under the 103(a) rejection and teaches a) reverse logistics as the handling and dispositioning of returned goods back to a manufacturer or a central returns facility, b) the United States Postal Service as a return product carrier for Web merchants using Returns@ease software, and c) UPS and FedX serving as return product carriers for merchants. USPS, however, does not disclose automatically determining a carrier that will deliver the consumer product to the returns destination. WorldSpy teaches Sears using the most efficient delivery routes to speed delivery to consumer's homes and using the same system to efficiently schedule the pick-up of consumer returned appliances (#12, UUU: see at least page 4). WorldSpy teaches the management pact

WorldSpy has with UPS Worldwide Logistics as not including a bias towards UPS delivery (please note examiner's interpretation: at least one other carrier is considered). WorldSpy further teaches a purchase triggering an electronic search for the best routing and cheapest price to achieve three-day delivery to a consumer (please note examiner's interpretation: best routing requires receiving product's present location and receiving destination location) (V: see at least page 6). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of USPS to disclose using the same system used by WorldSpy to ship product efficiently to a consumer to return product efficiently from a consumer by automatically determining a carrier service based on best routing and cheapest price as taught by WorldSpy, in order to economically ship product back from a present location to a return destination location.

USPS and WorldSpy teach all the above as noted under the 103(a) rejection and teach a) automatically determining a carrier to economically ship product back from a present location to return destination location, b) automatically determining a returned product destination, and c) merchants paying for the consumer's returned product shipping (#12, U: see page 1), but do not disclose automatically receiving present product location information from the consumer. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose

automatically receiving present product location from the consumer, since one of ordinary skill in the art would ascertain that offering the best routing from the return product's location and cheapest price requires receiving present product location from the consumer, in order to determine the most economical shipping solution and thereby attract merchants to the online returns service desiring to reduce returned product shipping expenses.

USPS and WorldSpy teach all the above as noted under the 103(a) rejection and teach a) an automatically determined return destination, and b) an automatically determined return carrier, and c) printing a return label containing product type information and destination on a printer operatively connected to a consumer's printer, but do not disclose transmitting to the first computer the automatically determined destination. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose transmitting the automatically determined destination, since it is well within the skill to ascertain the automatically determined destination should be printed on the shipping label in order for the carrier to know where to ship the return product, and thereby ensure the returned product is delivered to the automatically determined destination.

USPS and WorldSpy teach all the above as noted under the 103(a) rejection and a) United Postal Service, UPS, and FedX as carriers, and b) automatically determining a carrier selected among a plurality of carriers,

and c) offering online returned product processing as a convenience, but do not teach transmitting to the consumer the identification of the carrier service. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose transmitting carrier identification, since one of ordinary skill in the art would ascertain the need to include carrier identification on the shipping label for consumer awareness convenience or carrier's business convenience, and thereby prevent automatically determined carrier from inadvertently shipping another carrier's package.

USPS teaches all the above as noted under the 103(a) rejection and teaches a) Altrec's customer service people having all the information about a product being returned, and b) return authorization, but does not disclose product serial number data. WorldSpy teaches Great Plains Software's Returns Management module tracking returned parts throughout the repair process and interfacing with other modules to update inventories, issue credits, generate purchase orders, and handle other functions associated with customer service (#12, UUU: see page 5). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to receive the returned product's serial number and thereby track returned product by serial number to update inventory and customer service as taught by WorldSpy, in order provide the returns product service with all the information necessary to coordinate returned product processing throughout an organization.

Pertaining to system Claims 1-6, 15-18, and 22

Rejection of Claims 1-6, 15-18, and 22 is based on the same rationale as noted above.

Pertaining to Claims 23-27

Rejection of Claims 23-27 is based on the same rationale as noted above.

2. **Claims 7, 9, and 19-20 are rejected under 35 USC 103(a) as being unpatentable over USPS (a collection of articles cited in Paper #12, PTO-892, Items: U-X) and WorldSpy (a collection of articles cited in Paper #12, PTO-892, Item: UUU and Paper #19, PTO-892, Items: U-V) as applied to Claims 1 and 16, further in view of PR Newswire (Paper #12, PTO-892, Item: WW).**

USPS and WorldSpy teach all the above as noted under the 103(a) rejection and teach a) a recyclable toner cartridge as a returnable product, and b) the consumer printing the return shipping label on a printer operatively connected to the consumer's printer, and c) printing on any printer (U: see page 2; W: see page 1), but do not specifically disclose a laser printer toner cartridge as a returnable recyclable product. PR Newswire teaches Canon USA introducing new laser printers into the market place, the use of laser toner cartridges, Canon USA instituting the Clean Earth Campaign in 1990 which supports environmental issues, and collecting millions of toner cartridges for recycling and reuse (#12, WW: see at least pages 1-3). Therefore it would have been obvious to one of

ordinary skill in the art to modify the system of USPS and WorldSpy to disclose laser printer toner cartridges as returnable product for recycling as taught by PR Newswire, in order to attract consumers desiring to return recyclable laser toner cartridges.

3. **Claims 8 and 21 are rejected under 35 USC 103(a) as being unpatentable over USPS (a collection of articles cited in Paper #12, PTO-892, Items: U-X), WorldSpy (a collection of articles cited in Paper #12, PTO-892, Item: UUU and Paper #19, PTO-892, Items: U-V), and PR Newswire (Paper #12, PTO-892, Item: WW), as applied to Claims 1 and 20, further in view of Martin (Paper #12, PTO-892, Item: XX)**

USPS, WorldSpy, and PR Newswire teach all the above as noted under the 103(a) rejection and teach a) citing reasons for returning a product, and b) Canon recycling printer cartridges, but do not disclose the use of a chip adapted to a printer cartridge to collect product information. Martin teaches a) laser printer toner cartridge recycling, b) Canon competitors producing Canon compatible cartridges, and c) introduction of smart supplies used in laser printers, and by example the Lexmark LaserJet 8100 cartridge having chips that provide feedback to users on toner usage and other information (#12, XX: see at least page 2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system of USPS, WorldSpy, and PR Newswire

to include a chip adapted to a product to provide product information as taught by Martin, in order to facilitate returned product processing.

4. **Claim 14 is rejected under 35 USC 103(a) as being unpatentable over USPS (a collection of articles cited in Paper #12, PTO-892, Items: U-X) and WorldSpy (a collection of articles cited in Paper #12, PTO-892, Item: UUU and Paper #19, PTO-892, Items: U-V) as applied to Claim 10, further in view of Gralla (Paper #4, PTO-892, Item: V).**

USPS and WorldSpy teach all the above as noted under the 103(a) rejection further teach transmitting information via a web interface, but do not disclose the use of a cookie to pass or collect information from the customer's computer. Gralla teaches the use of cookies by Internet web sites to pass and collect information from a web client computer. Gralla teaches cookies as bits of data being deposited on a client's hard disk when visiting the web site, and the cookie being used to convey information to the server (#4, V: see all pages). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of USPS and WorldSpy to use the customer's cookie as taught by Gralla, in order to make it easier to conduct electronic business with a web server.

Conclusion

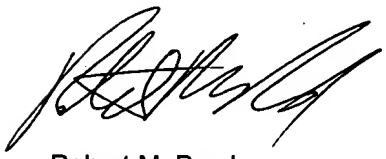
THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 703-605-4253. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert M. Pond
Primary Examiner
04 February 2005